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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 **UNITED STATES OF AMERICA,** }
10 Plaintiff, } Case No. 2:11-CR-0312-JCM-(PAL)
11 v. }
12 **ANIL MATHUR,** }
13 Defendant. }

14

15 **DEFENDANT'S MOTION FOR LIMITED MODIFICATION**
OF THE COURT'S OCTOBER 25, 2011 SCHEDULING ORDER

16 Certification: In accordance with Local Rule 12-1(c), Defendant Anil Mathur, by
17 and through undersigned counsel, hereby certifies that this motion is timely filed.

18 Defendant, by and through counsel, respectfully requests that the Court modify
19 its October 25, 2011 scheduling Order to permit Defendant a two business day
20 extension of time to respond to the United States of America's ("United States" or
21 "Government") opposition to several dispositive motions filed by defense counsel.
22 Presently, Defendant is permitted 7-days within which to file a reply brief. Because the
23 Government filed opposition papers on April 5, 2012, Defendant's reply is due on April
24 12, 2012. However, Defendant respectfully requests to and until April 16, 2012 within
25 which time to reply to the Government's April 5, 2012 filings. In support of this request,
26 Defendant relies upon the memorandum of points and authorities set forth below.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 The Court's October 25, 2011 scheduling Order provides that a party shall have
3 7-days within which to file a reply brief. See Pacer document 17, para. 1(C). However,
4 the scheduling Order also provides in paragraph six that "[f]or good cause shown, a
5 party may seek a modification of this scheduling order by oral or written motion to the
6 Court."

7 Despite best efforts, undersigned counsel will not be able to timely complete the
8 replies to the Government's April 5, 2012 filings (Pacer documents 60 and 61) without a
9 short extension. Although undersigned counsel has made progress towards their
10 completion, several competing case commitments (including a client emergency)¹ have
11 deprived undersigned counsel of necessary time to ensure their completion.² However,
12 a short 2-business day extension, until April 16, 2012, will permit undersigned counsel
13 necessary time to prepare a thorough reply to the Government's April 5, 2012 filings.

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22 ¹ During this same period, undersigned counsel became ill.

23 ² Co-counsel, Robert Draskovich, Esq., is currently in a three-week trial in state
24 court and not in a position to assist. Moreover, it was previously agreed between
25 defense counsel that undersigned counsel would prepare the reply briefs.

1 **CONCLUSION**

2 For the reasons set forth above, Defendant respectfully requests that the Court
3 modify its October 25, 2011 Order to permit Defendant a 2-business day extension
4 (until April 16, 2012) to file reply briefs to the Government's April 5, 2012 filings.

5 Respectfully submitted,

6 */s/ Paul S. Padda*

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16 Dated: April 12, 2012

17 **IT IS SO ORDERED:**

18 Defendant is provided a 2-business day extension
19 of time, to and until April 16, 2012, within which to
20 reply to the Government's April 5, 2012 filings
21 (Pacer documents 60 and 61).

22 
23 United States Magistrate Judge

24 Dated: April 16, 2012